



HOUSE ADMINISTRATION COMMITTEE HOLDS HEARING ON H.R. 5175 DISCLOSE ACT

*Legislation designed to restore the role and power of the individual in
the American Election System*

Washington, DC (May 5, 2010): House Administration Chairman Robert A. Brady convened a hearing today to solicit expert testimony on H.R. 5175 – The DISCLOSE ACT - Democracy Is Strengthened By Casting Light On Spending In Elections Act. This bipartisan legislation is designed to restore the importance of the individual American voter in the face of the recent Supreme Court decision in *Citizens United vs. the Federal Elections Commission*.

In a highly controversial and widely criticized decision, the Supreme Court flatly rejected 100 years of election law thereby allowing corporations and other entities to play an outsized role in the election process. H.R. 5175 increases disclosure requirements, ensuring that the American public can “see behind the curtain.” The legislation also prohibits foreign corporations from buying U.S. elections and advancing their concerns over the well-being of the American people. The legislation also prohibits TARP recipients from making election-related expenses.

“We may disagree on the court’s decision but we should all agree that the American people deserve to know who is attempting to influence American elections,” said Chairman Brady. “That is why I am pleased that HR 5175 focuses on increasing transparency and strengthening our disclosure of political spending by all groups.”

“The DISCLOSE Act recognizes that American voters are at minimum entitled to full and accurate reporting of campaign spending so that voters may know who is attempting to influence their vote,” continued Brady. “Disclosure laws expose corruption, alert voters to who is behind a candidate or ballot measure, and help to ensure that other campaign finance laws are being followed.”

During the hearing, witnesses pointed to the dangerous Supreme Court decision and its potentially disastrous impact on the integrity of the American elections process.

According to Craig Holman, Ph.D, Government Affairs lobbyist for the 100,000 member Public Citizen Group, “The DISCLOSE Act (H.R. 5175) is an important legislative response to the gravely unfortunate *Citizens United* decision by five justices of the U.S. Supreme Court. The Court’s decision to roll back a century of American political tradition banning corporate money in politics poses severe dangers to our democracy. In the electoral arena, this decision will bring a flood of new money into elections, ratcheting up the cost of campaigns and increasing the time and resources needed for fundraising. In the legislative arena, the mere threat of corporate political spending gives corporate lobbyists a large new club to wield when negotiating with lawmakers.”

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Lisa Gilbert, Democracy Advocate for the U.S. Public Interest Research Group stated that “The newly enabled possible flood of corporate spending could skew participation and drown out the voice of regular citizens. This decision has elevated the role of corporations in politics at the very moment when regular Americans have a marked distrust for corporations, especially Wall Street banks.”

Nick Nyhart, President and CEO of Public Campaign pointed to the ways in which the DISCLOSE Act emphasizes the importance of public transparency and disclosure. “The DISCLOSE Act takes dead aim at preventing a new regime of secrecy when it comes to the political process,” said Nyhart. “If information is power, then closely held control of information is the opposite of democracy. Transparency is the policy that best represents our country’s democratic ideals. Disclosure, moreover, is the one area in campaign finance regulation where, historically, Democrats and Republicans have agreed and I am pleased that the DISCLOSE Act, with its bipartisan cosponsors, is able to continue that tradition.”

According to Donald Simon, General Counsel for Democracy 21, “The majority decision in Citizens United is the most radical and damaging campaign finance decision in Supreme Court history. It is profoundly wrong. Although critics claim that disclosure requirements (under H.R. 5175) are unconstitutional, this is a myth. Dating back to the landmark *Buckley* decision more than 30 years ago, the Supreme Court has consistently endorsed the principle that the public has the right to know about expenditures being made to influence election campaigns, and about the sources that are providing the funds used for such expenditures.”

“Since I have been Chairman, the Committee has never heard from so many concerned citizens than since the Citizens United decision came down,” said Brady. “According to numerous polls, 8 in 10 Americans are concerned about this decision’s impact on our democracy. I believe the DISCLOSE Act can do a lot to reassure American voters that their individual voices count.”

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